THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO.25206 of 2005

Dated: 21-07-2006

Between:

Ponna Balamani.

..... PETITIONER

AND

The Mandal Revenue Officer, Rangareddy District, and two others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION NO.25206 of 2005

ORDER:

Petitioner is the owner of land admeasuring Acs.8-00 in survey No.241 of Kethireddipalli Village, Moinabad Mandal, Ranga Reddy District. She dug a bore well by investing a sum of Rs.11,000/- in 2004. The Mandal Revenue Officer passed orders in Memo dated 15-07-2005 prohibiting the petitioner from using the water from her bore well, aggrieved by which the present writ petition is filed.

Inter alia, it is urged that the impugned memo was not preceded by any notice and therefore, the same is violative of Section 12 of the Andhra Pradesh Water, Land & Trees Act, 2002 (the Act, for brevity) and Rule 15 of the Andhra Pradesh Water, Land and Trees Rules, 2004 (the Rules, for brevity).

A perusal of the impugned memo would show that no notice was issued to the petitioner before prohibiting her from using the bore well. Therefore, the same is set aside. It shall, however, be open to the Mandal Revenue Officer to conduct enquiry and take necessary action in accordance with the Act and the Rules.

The writ petition is accordingly allowed. No costs.

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(**V.V.S.RAO, J**)

21st July, 2006

Note: Issue CC by 24-07-2006.

B/o

ghn